

#13/Rule 1.129(a)
Sodum 09/15/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SPRINGER *et al.*

Appl. No. 08/474,388

Filed: June 7, 1995

For: **ICAM-1 Preparations**

Art Unit: 1644

Examiner: Cunningham, T.

Atty. Docket: 1011.004000D



Submission Under 37 C.F.R. § 1.129(a)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant(s) request that the finality of the final rejection dated **January 6, 1998** be withdrawn in view of this timely filed first, or second submission under 37 C.F.R. § 1.129(a). Our Check No. 22650 is enclosed for payment of the fee set forth in 37 C.F.R. § 1.17(r). The present application has an effective pendency of at least two years as of June 8, 1995, taking into account any reference of record to any earlier filed application under 35 U.S.C. §§ 120, 121 and 365(c). This petition and the fee set forth in § 1.17(r) are being filed prior to the filing of an appeal brief and prior to abandonment of the application. Applicants therefore respectfully request that the Amendment filed July 6, 1998 be entered.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby

petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert C. Millonig
Attorney for Applicants
Registration No. 34,395

Date: September 8, 1998

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

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STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

SUITE 600

1100 NEW YORK AVENUE, N.W.
WASHINGTON, D.C. 20005-3934

(202) 371-2600

FACSIMILE: (202) 371-2540; (202) 371-6566

AF/1816
164481

ROBERT GREENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX
DAVID K.S. CORNWELL
ROBERT W. EDMOND
TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL Q. LEE

JOHN M. COVERT*
LINDA E. ALCORN
RAZ E. FLESHNER
ROBERT C. MILLONIG
STEVEN R. LUDWIG
MICHAEL V. MESSINGER
JUDITH U. KIM
KEITH KIND
TIMOTHY J. SHEA, JR
DONALD R. MCPHAIL
PATRICK E. GARRETT
BARBARA A. PARVIS
MICHAEL A. RAHMAN*

STEPHEN G. WHITESIDE*
NOEL B. WHITLEY*
JEFFREY T. HELVEY*
RICHARD A. DUNNING, JR
KIMBERLIN L. MORLEY
RALPH P. ALBRECHT
HEIDI L. KRAUS*
JEFFREY R. KURIN*
CARL B. MASSEY, JR.*
RAYMOND MILLIEN*
PATRICK D. O'BRIEN*
BRIAN S. ROSENBLUM*

DONALD J. FEATHERSTONE**
LAWRENCE B. BUGAISKY**
KAREN R. MARKOWICZ**
GRANT E. REED**
VICTOR E. JOHNSON**
SERGE SIRA**

*BAR OTHER THAN D.C.
**REGISTERED PATENT AGENTS

WRITER'S DIRECT NUMBER:
(202) 371-2653

INTERNET ADDRESS:

September 8, 1998

Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Appl. No. 08/474,388; Filed: June 7, 1995
For: **ICAM-1 Preparations**
Inventors: SPRINGER *et al.*
Our Ref: 1011.004000D/SLF/RCM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal PTO/SB/17;
2. Submission Under 37 C.F.R. § 1.129(a) (*in duplicate*); and
3. SKG&F Check No. 22650 for \$790.00 to cover fee Under 37 C.F.R. § 1.129(a).

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

RECEIVED
U.S. PATENT AND TRADEMARK OFFICE
GROUP 180
18 SEP 11 PM 2:18

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Assistant Commissioner for Patents
September 8, 1998
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Judith U. Kim Reg. No. 40,679

for Robert C. Millonig
Attorney for Applicants
Registration No. 34,395

RCM/cmg
Enclosures

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.

These are the fees effective October 1, 1997.

Small Entity payments must be supported by a small entity statement
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT

(\$790.00)

SEP - 8 1998

Complete if Known

Application Number	08/474,388
Filing Date	June 7, 1995
First Named Inventor	SPRINGER et al.
Examiner Name	Cunningham, T.
Group / Art Unit	1816
Attorney Docket Number	1011.004000D/SLF/RCM

METHOD OF PAYMENT (check one)1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number	19-0036
Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance
2. Payment Enclosed: Check No. 22650 Money Order Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION**1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	790	201	395	Utility filing fee	
106	330	206	165	Design filing fee	
107	540	207	270	Plant filing fee	
108	790	208	395	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
Total Claims	12	- 20**	= 0	X = 0.00	
Indep. Claims	2	- 3**	= 0	X = 0.00	
Multiple Dependent Claims				=	
** or number previously paid, if greater; For Reissues, see below					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	
103	22	203	11	Claims in excess of 20	
102	82	202	41	Independent claims in excess of 3	
104	270	204	135	Multiple dependant claim	
108	82	209	41	**Reissue independent claims over original patent	
110	22	210	11	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

3. ADDITIONAL FEES

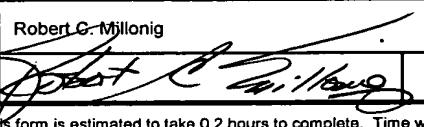
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	950	217	475	Extension for reply within third month	
118	1,510	218	755	Extension for reply within fourth month	
128	2,060	228	1,030	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,320	241	660	Petition to revive - unintentional	
142	1,320	242	660	Utility issue fee (or reissue)	
143	450	243	225	Design issue fee	
144	670	244	335	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	790.00
149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify):

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 790.00)

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Robert C. Milionig			Reg. Number	34,395
Signature		Date	September 8, 1998	Deposit Acct. User ID	19-0036

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.